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A VIEW OF THE

WORLD WE LIVE IN;

CONTAINED IN A SKETCH OF THE

LIFE OF THE AUTHOR,

JOSIAH EATON:

HIS WONDERFUL

Feats of Pedestrianism, &c.

THE VISISSITUDES OF MISFORTUNES WHICH BEFEL HIM,

THAT HAS SCARCELY EVER BEEN THE LOT OF ANY ONE INDIVIDUAL.

Published for the guidance of Young Tradesmen.

FEBRUARY 1839.

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A SKETCH,

&c. &c.

THIS Sketch will contain so many extraordinary circumstances, that without names and places are subscribed, the world would suppose it to be a fiction; but neither names or habitations will be omitted. The author's intention is, whoever claims the cap that it shall fit close. If they find it unpleasant, they should consider, that the flesh will quiver where the pincer's tear.

My object in publishing this sketch of my life is, that others may shun being twirled in the same vortex. The commencement of my history is, where the hetos of novels generally end—that is, matrim[illegible] A few words shall comprise all my previous life.

By the information of my parents, at a village in Northamptonshire, in England, I first breathed natural air. I was, and have continued extraordinary healthy and strong, considering I was but of a small statue. Having a determined spirit and courage beyond all imagination, I gave no insults, neither would I brook any. I was taught the trade of a baker, and was always inclined to sobriety.

I had, by the year 1800, saved a small sum of money, sixty pounds; I was then thirty years of age. I imagined an old bachelor would be like an old hat, but little valued; and having previously informed a young female that I intended to finish my peregrination, we agreed to combat, what we found to be the hydra of avarice and deceit. With my little money I was enabled to establish myself in the business of bread baking. To procure an eligible situation, in the first year I engaged in four different ones, and fortunately succeeded in the last, which was unexceptionably good, in the neighbourhood of London.

I now began to imagine myself one of the most happy of human beings. The amount of business was uncommon good, my credit large, and my returns of ready money not short of three hundred and fifty pounds each week. In the first eighteen months I found a clear income of £1,100. To relieve the embarrassments of two of my wife's brothers, who were master tailors, I had entered into a security of six hundred pounds, by accepting bills of seventy pounds each, the bills drawn coming due monthly, after six months. On the memorable morning of the 2nd August 1802, about two o'clock, seven of my family were envelloped in flames. No one could proceed downwards, but fortunately there was an outlet in the roof, all naked, we succeeded in saving our lives, by climbing over the roofs of four houses. The consequence was, all appeared ruin and devastation; but such was my philosophy, my spirits was not a tittle dismayed. I was insured in property three hundred pounds. My loss was as follows;—120 Sacks of flour at seven pounds five shillings per sack; twenty chaldrons of coals at two pounds per chaldron; and furniture, &c. worth one hundred and fifty pounds. Having a lease of sixty years, I had expended three hundred pounds on the premises: the gross loss, £1320. The Insurance office bestowed me the dilapidations, which I disposed of to a starch maker for thirty pounds, exclusive of the undestroyed coals, which was about the value of twenty pounds, leaving me a loser of £970.

In the short time of eight weeks the premises were rebuilt, the business not the least diminished, and my credit not at all injured. My readers may imagine, this was the end of that misfortune; alas! it was only the commencement. The bills I had accepted for the relief of my wife's brothers, in monthly succession, was coming due; and not one penny did they advance towards the payments. I paid them all on the days of presentment, the last one excepted, which I accepted a bill for at three days and gave to the holder in lieu thereof, foolishly neglecting to demand the former bill; not considering there was any danger, it got altogether erased from my memory.

The day following my paying this bill, I had an acceptance to pay of one hundred and twenty pounds of my own contracting. I was distracted in my mind, being short fifty pounds of the amount at three o'clock in the afternoon, and the bill would

be noted at five, when the following extraordinary circumstance occurred. A gentleman, a stranger, came into my shop and enquiring for me addressed me as follows:—"Have you any knowledge who I am?" I answered in the negative. He replied, "My name is George Squires, and knowing that you have lately sustained great losses, I have brought a hundred pounds in my pocket, and thinking it might be a service to you, I have called to make you an offer of it, and when I wish you to return it, you shall have not less than three months notice." I need not describe my feelings, I refused to accept of more than the fifty pounds which I required at that particular juncture.

I shall now refer my readers, like the dial of Ahaz, backwards for about eighteen months. At the beautifying of my premises there was one William Vince a journeyman carpenter, he being a customer, and I considering him to be a sober and industrious man, I advanced to him eighty pounds, which established him in business, and engaged with him to do work for the amount advanced, which he did. When the same was completed, he employed a person to survey the same, and according to their estimation, in two accounts, a survey bill of sixty pounds, and a jobbing one of thirty-six, amounting to ninety-six pounds, which left a balance due to William Vince of sixteen pounds. As truths are my object, I shall convey to my readers nothing but facts, and that in the same language as was used. I asked Mr. Vince whether he would have the balance. He replied as follows: Mr. Eaton, you have been so kind to me I won't take the money; a bill for a month will do quite as well. The bill was given, and when due, paid; it was about ten months previous to the fire. In that period there was scarcely a week but William Vince sent his sister to borrow a small sum of money, about two or three pounds, and punctually returned it at the time appointed. Two days prior to the fire he had borrowed two pounds, which was to have been returned, but by the accident of the fire was not by me expected. I met Vince about a week subsequent to the above accident. He said, Mr. Eaton I am sorry that the money I have of yours has slipped through my hands, and I have not got it for you; enquired after my welfare, and whether my all was destroyed, especially the receipts. Not expecting any evil design, I informed him the truth, we not having time to save a feather.

I told him he might detain the two pounds till I commenced business, and then he should do work for it. When I began business, to my utter astonishment this honest, grateful Mr. Vince demands of me the small amount of thirty pounds, pretending that he had not delivered the jobbing account of my improvements. I, recollecting every thing, and perceiving the intended base defraud, I immediately persevered to prevent and counteract his design. My first object was to find out his surveyor, and I proceeded five miles where I had information he resided. On my arrival, which was about two hours from my leaving William Vince. This Mr. Vince, knowing the survey book would detect and expose his villainous transaction, had, a few minutes before, under false pretences, got possession of the papers. The surveyor being at the time at Croydon, a distance of ten miles from his residence, I still persevered, and with the assistance of an able lawyer, overthrew his base design.

With leave, I shall advance forward to the time I lost my memory, a period of about a year. A sum of seventy pounds was demanded of me, said to be due to the bankrupt estate of the clothier to whom I had paid my wife's brother's debts. I appealed against the claim, imagining that they could not prove any; but to my astonishment, on the trial, the debt claimed was the producing the identical bill that I had in lieu gave an acceptance of three days, and paid when due.

To prevent my property from being wrested from me by so unjust a proceeding, I sold the lease of my house, I settled with my creditors, though against their advice, was determined, and did leave London with a sum of money of only one hundred and fifty pounds. I proceeded to Liverpool, and established myself in an exceeding good business, nearly equal to the one I left in London.

I had, like a summer's day, a bright appearance before me. In two years and a half my property did not consist of less value than £1200. But though I got clear of one rock I soon got wrecked on others. Finding myself so very prosperous, I went up to London and paid that unjust demand of nearly one hundred pounds, gave a clearance to my brother in law, by giving to William Harper the whole of the bills I had paid for him, which I burnt at his own house, his being the chief amount, upwards of six hundred pounds. For this kindness, he took measure, and was to send me a suit of superfine

clothes; but to this day my eyes have not seen them. I will now remark how part of this amount occurred. After I had paid the security amount, this said William Harper applied to me to discount him a bill of thirty pounds, drawn on one Mr. Makepeace, Carver and Gilder, Newcastle Place, Clerkenwell, assuring me he was certain it would be paid when due. I gave the cash without any interest, but when it came due the bill was returned on my hands. I inquired of William Harper whether Mr. Makepeace owed the amount, he assured me he did, and I immediately arrested the unfortunate man. To make my history short, I found they were a young industrious couple, just entering into business, and had been persuaded into a transaction that would (but I could not) be the instrument of their ruin. When I learned the truth, that he had received no value for his acceptance, I withdrew the writ and burnt the bill in his own fire, knowing it would be of no value to me, except by ruining him.

Business was exceedingly good: whoever I thought industrious I did not urge for payment. There was one Ellen Robb, living in Bold Street, who kept a most respectable boarding house, and was indebted to me for bread thirty-six pounds. A lawyer, more officious than just, persuaded me that I should lose my money if I did not arrest her for it. I took his advice, and the consequence was once more the ruin of me. She was bailed, and requested an interview, when she informed me, what was the truth, that she was under bail of different arrests for about £200. What brought it on was as follows: There was a merchant in Liverpool whom she was much acquainted with, that she supplied with the cash that she received from her boarders and lodgers, and took their acceptances, about six hundred pounds, which she negociated to her creditors. They afterwards became bankrupt, not paying sixpence in the pound. Any thing further I need not inform my readers. She having furniture worth at least £700: she informed me that her income was great, saying to me that she could soon work through if she got assistance. I felt for her, and gave immediate security to those pressing creditors to the amount of two hundred and fifty pounds. It was the most improper thing that could be devised, it was instantly known, and every creditor came upon her as their claims came due. I was under the necessity of supporting her through all,

by accepting bills for the amount of about £600. She certainly endeavoured all she could to support me through the payments; but it was but trifling, only what she could spare from her income. I had purchased ground, and built a house on the head of Great Cross Hall Street. I let the house I then occupied, and resided there; but was under the necessity of disposing of it to meet the demands. Other misfortunes accumulated on me. One debt, owing from a merchant named Kanier, who failed for £500,000, whose property was consigned to Messrs. Hayward and Co. bankers: the remainder would not pay 6d in the pound. My debt was seventy pounds, and I lost it all. I left Liverpool, and proceeded to Manchester; but resided there on y one month. I then proceeded to Boston, in Lincolnshire; there I had a comfortable business, could I have been contented, with doing well. I was there about two years; but being of a restless disposition, my inclination prompted me to repair to London again. I sold my business, with the lease of the house for a hundred pounds, and proceeded thither.

I now returned to London again in 1810 with the wreck of my earnings; just sufficient to enable me to purchase the lease of a new built house situated in Union Street, in the Borough of Southwark; but in a different situation from the one I left in 1805. I had too many competitors to admit of a fair profit in my business. I disposed of my lease and trade, and removed to East Lane, Walworth, where I had purchased a lease of premises. A Mr. Hill, of Brighton, having taken the contract for serving the troops in London with bread, I had an opportunity of disposing of them to advantage, he requiring such. I shall here inform my readers, in what manner premises are let and taken in London, very few except on lease, and few for so short a term as twenty one years. A lease when first granted is either purchased or an equivalent expended on the premises, which enables the proprietor to let at a reduced rent, the landlord has no more power on the premises till the expiration of the lease, only to be paid his rent, and it is thus let and sold from one occupier to another, who sees that all claims are previously cleared. Not one house in a thousand but the taker has to pay the leaver from ten pounds to ten thousand, which in London is called good will. I removed again to a distant part of the same Union Street I had formerly resided in. For the information of my readers, I beg to observe, that in every

situation prior to this time, I had established a new business, and mostly since. I soon had an opportunity of also disposing of that situation to an advantage, and removed to Gray's Inn Lane.

At this period there was a great excitement in London, occasioned by a pedestrian feat of one James Wilson, on Blackheath, performing a thousand miles in twenty successive days; that and Captain Barcley's performing 1000 miles in 1000 hours, engrossed most all the conversation in taverns and coffee houses in London. I being confident the Barcley feat my powers would enable me to perform, I had a desire to undertake it, but more from emulation than the desire of gain. A favorable opportunity I considered then occurred, and for a small bet, I wagered that I could perform the feat of walking 1100 miles in 1100 successive hours. The difficulty of performing the task is supposed to be occasioned by the deprivation of regular rest. I soon found that I had enemies even in that concern. Scandal was alert, whether from those who did not approve of my feat that excelled others, or some other cause, I was slandered with a report that I had not regularly performed it. To counteract this mean design, seven persons, who were the umpires, took their affidavit at the Mansion House, that these aspersions were false. From that time I was determined that both that feat and the one Captain Barcley performed, should be considered as nought. That feat was by walking one mile at the end of one hour and the following one at the beginning, which gave the opportunity of an hour and a half's rest between each walking. This was performed on Blackheath, on the 29th December, 1815. I performed the same feat at the same place in the following year, 1816, beginning in the first twenty minutes in each hour; and on Brixton Causeway, 1198 half miles in every successive half hour. This feat was performed in the same year, 1816, and in 1817 on Wormwood Scrubs, the feat of 2000 miles in forty two days.

In 1817, likewise a journey from Colchester to London in one day, and return to Colchester the next, 51 miles each day for twenty successive days, finished September 27th, 1819. The next wonderful undertaking was at Stow Market, in the County of Suffolk, to walk a quarter of a mile every successive quarter of an hour for the space of six weeks, consisting of 4032 quarters of a mile, commencing at 2 o'clock on May the

12th, and finishing on June the 23d, 1818. After that at Cambridge, 148 miles in 48 hours. At Leicester 496 miles in eight days. The two last I do not recollect the exact time.

Previous to my first pedestrian undertaking, I visited a person I was acquainted with in what is called in London a spunging house. In the same desirable place was incarcerated a person styling himself an half-pay officer, who had a regular salary of 120 pounds a year, for the small amount of thirty pounds, he had neither wife or family. By the advice of my friend, and telling me a most pitiful case, I was persuaded to endeavour to liberate him, which I did, by engaging that he should pay out of his salary to his creditor, one pound a month; he assuring me at the time that nothing but death should prevent its being paid.

The day after I had finished my second undertaking on Blackheath, two pleasant looking men called on me, and without any other ceremony informed me that if I did not give them a sum of money under forty pounds, I was to accompany them down to Maidstone. Judge of my surprize when they mentioned the name of the demander, I thought the men were mad. Sometime elapsed with the idea that they had committed some foolish error, till I learnt it was the business of the wretch, who had not paid one shilling I had bound myself to liberate; I had not the money about me at the time, and it did not admit of bail; so I took a pleasant ride to Maidstone but in a short time the case was compromised, the plaintiff being, more than I expected, kind.

In all my undertakings, it was but little interest to myself, as I before informed my readers, my object was not gain, I then had something about thirty pounds. I shall here remark that I paid all debts if demanded, however contracted, if I had the means, if it left me without a shilling. With my little money I purchased a plate and engraving of my performances and likeness, and then travelled and disposed of them; and if it had accorded with my disposition, I am of an opinion, it would have enhanced me an independant fortune. Though I had the greatest encouragement, it did not suit my habits, I therefore relinquished it at Leicester. We sojourned at Leicester some time. Whilst remaining there, (my wife and family being there likewise, they travelled with me, she being of a similar disposition to myself,) an incident occurred worth mentioning. In the prison for debtors was a female who had

the title of being a Lady Jersey, the keeper, a Mr. Murray, informed me that he gave her monthly eighteen pounds as he received it for her. Nevertheless, this base woman borrowed of my wife, under false pretences, the whole of my stock of cash, ten pounds, besides owing for washing two pounds, not one farthing of which was ever returned; we then returned to London penniless. A friend of mine, one James White, the gentleman that succeeded me at my first residence, at Shadwell; he established me in business again in Fenchurch Street, though not altogether a place of my own choice, but I was soon able to improve my condition by purchasing another situation in King Street, Smithfield, but that situation being in the City of London, and I not being able to purchase my freedom, I was under the necessity of parting with that establishment. From that I was again situated at Deptford in another belonging to my friend James White; but he having an opportunity to sell those premises to his advantage, I could not refuse acquiescing with it; I removed to another situation likewise his property, in Rosemary Lane, but I remained there but a short time. I then established a business in Eldon Street, Wellington Square, just bordering on the city, the pavement of my house was in it; but the following circumstances soon routed me from that. At the time of the great failures, I think it was in 1826, my friend, James White, persuaded me, and which I could not well refuse, to lend my acceptance for the accommodation of one William Akers to the amount of £500. The banks, and thousands of other firms failing, was the occasion of providing us, and hundreds more, with free lodgings, William Akers in the King's Bench, myself in Whitecross Street Palace. I was by the lord of the palace bestowed a free bakehouse, and fuel gratis, my profits not less than three pounds a week. This profitable concern I was to give up to another, for prior to my accepting of it I had applied for liberty to seek another abode. Unfortunately for me no one is allowed the privilege to inhabit the palace any longer than his lordship pleases. He orders his servants to dismiss you, I was again out in the wide world, but the worst misfortune that befell me whilst an inhabitant in the palace, being deprived of my companion in prosperity and adversity, one I think for goodness take her all in all there never was the like. I had then in family three sons and one daughter; my daughter got married in my absence. In the period of six months I provid-

ed myself with another female companion, and we all proceeded to Hull, with her daughter about sixteen years of age, and I there established myself in a comfortable business, but not extensive. My family increased with a son, and with a near expectation of a further increase. I received a letter from a brother saying that he intended going to America, I made up my mind to go with him. My wife was not in a fit state to go with me, I left her with my eldest son, comfortably supplied in business, as my property was in stock, I set off for Quebec with the large amount, less than five shillings, and my passage not paid. I proffered to leave in the possession of Captain Davidson, of the John Barry, a few articles of value as a security till I could find means to pay him. Captain Davidson's reply was; "Mr. Eaton, I see that of you, the little time I have the knowledge of you, that you shall not leave a single article, I know you will pay me if you are able, if not I forgive it; I am certain you will if it is in your power." I therefore took all my things ashore at Quebec.

I am now landed in Quebec with the large amount of five shillings of English penny pieces, which I perceived would purchase but half a dollar's worth of provisions, which the day after landing I lost sight of. I then put on my considering cap, to contrive the means of regaining the favour of those substantial friends. I arrived in Quebec on the 10th of August 1829. Fortunately for me the races commenced on the week following, and I had the opportunity of engaging the use of a bakehouse at ten dollars per month, in Champlain Street; and having brought with me some implements of trade, was able to purchase a barrel of flour, by depositing as security a watch, &c. I found the first week in trade that my purse had got to be of the extra weight of ten pounds; and its prolific tendency was such, that I soon after was enabled to engage a whole house, build an oven, &c., my friends still encreasing in weight and number. All happiness then appeared before me. I sent twelve pounds over to England to enable my family to visit Quebec; but, unfortunately, trade having been bad with them, it was only sufficient to enable my wife and two small children to proceed, which was in the summer of 1830. I immediately sent six pounds more to enable her daughter to follow; but it was too late for that season. It may now appear to be all sunshine; but how mistaken is man. My wife was endowed with the following good quali-

ties; that is, sobriety, industry, virtuous, and with excellent abilities as an economist in housekeeping, and a good accountant and sempstress. My readers may imagine, that with all those good qualities, there was everything necessary to constitute happiness; but how mistaken are the public in general of what is essential for that desideratum. Whatever it was that my wife was deficient of, that was the occasion of dismembering that link, never will be published by me: so farther than by her conduct all comfort was banished and not likely to return.

She wishing to return to England, by the advice of a lawyer, Mr. Charles Drolet, to whom she applied for an unjust concern, he recommended me by all means not to prevent her return if I could possibly support the expence; his opinion being, that it was impossible to find happiness with a female of her principles. I thought it best not to counteract her pretended design, so paid to a captain for her return her passage money, and gave a sum of money to herself, with a supply of provisions for the sea voyage for herself and children, which she insisted of having with her, though against my wish: this was in the year 1830, without which precaution I should have lost the whole, and no prospect of future happiness.

With the unfortunate expence of nearly forty pounds real happiness was fled. The children are at Hull. I have information yearly from my daughter-in-law. My wife I was informed had died of the Cholera in 1834. By the year 1838, I found myself possessed of more value in property than £300. In the year 1838 I held the contract for supplying the government with bread, and fulfilled it with the greatest satisfaction. My propensity for assisting the poor I could not get rid of, although I am aware of being stigmatized with the brand of being a fool. As it was my principal determination to expose all injustice that was in my poor abilities to encounter, I publish for the information of the public the following case:—

The case of Josiah Eaton, written by himself; being a statement of facts concerning two trials between Jacques Lortie, of King's-Street, St. Roch, plaintiff, and himself, defendant. The first was decided by the Honorable Judge Kerr, 1833, the latter by the Honorable Judge Bowen, May 27, 1834,

intended as a lesson for those who are, and those who are not engaged in law suits. Plainly shewing that though they should be twin brothers, law and justice are often impostors, being no way related. Printed in Quebec, 1st June, 1834.

Through the ignorance of both Judges and Juries, in criminal as well as civil cases, the innocent often suffer, while the guilty exult in their crimes and robbery. Two instances of murder in my time, one a young girl, named Eliza Fenning, the other a man of the name of Leary; an account of whose trials are too voluminous for me to state here, but they were both executed, and I believe not one in the world who knew the circumstances, but the former, believed them guilty of the crime for which they suffered. These two persons could not inform the world of their injuries; but those who have the means, and quietly submit to injustice, are as destitute of virtue as they are of courage,—I am determined the public at large shall be my judges.

A person of the name of John Firman, having a wife and three small children, I conceiving them to be honest and industrious, was induced to be security for their rent of a house in St. Roch, belonging to one Jacques Lortie, corner of King street and the road leading to the bridge. This was in the year 1832. Firman and his wife both died of cholera in July. Mr. Symes, in Palace street, and myself, called on Mr. Lortie, to induce him to again take possession of his house, and I offered him three months rent, over and above what was due, as the few things the deceased was possessed of might be sold for the benefit of the poor children. No, replied this man of humanity, in broken English, I have a good security, and I wo'nt take it. Mr. Lortie bought this house in the year previous, with an intention to pull it down to re-build it, which has since been done, it being then in a very dilapidated state, scarcely inhabitable, but as he said, he had not sufficient means at that time, he let it. Firman had a few lodgers, from whom I received no rent, who left the house in October. The house was unoccupied about a month. I shall remark again, that some part of the rear of the premises was, according to agreement to be occupied by the said landlord, Jacques Lortie, the passage was by a gateway, but this gate was never in repair, being all the time lying down. While the house was unoccupied, one half window, was taken away by some person. I shall here ask, who would steal half a win-

door, not worth a shilling, without taking the whole? The previous tenant declared to me, that the said Jacques Lortie, the landlord, was detected by himself and another, the year before, in taking a spout off the premises, at a late hour of the night; of Lortie's motive I leave my readers to judge. It is necessary to state, that this gateway to the back premises, was wholely the landlord's; Firman had no need of it, but if kept in repair, it would be difficult for any one to have had access, so as to steal an old sash. I afterwards put a poor man and his family rent free, into the house, to keep it in repair; I put in 18 panes of glass, for when Firman took the house, I counted 36 broken panes; this family mended the floor, &c., to make it comfortable,—this was about the latter end of November. Mr. Lortie called on me at different times for his rent, and was paid by me whenever he came; he gave me a receipt for the same. In January he sent his man for the rent due, I looked at the receipt and found it was a month more than was owing, and shewed the man the last receipt to prove it, who took it back and called no more till the next month; he then brought another receipt for two months more than was owing; I said "your master is mad, tell him to come himself." In about three days he did, and said there was that amount due; I showed my last receipt to convince him, Mr. Lortie said this wo'nt do; I give my receipt, say one month or two months. I was thunderstruck, and had I not preserved all the receipts, I could not avoid paying him again; I found them and shewed them to him, they were written in French, I but in English would be as follow: "January 4th, 1833. Received of Mr. Eaton, eight dollars for two months rent, Jacques Lortie." Fortunately I had preserved all the receipts, or else I must have

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The reply was, "my head so bad I forget." But he, no doubt, knew there was no back rent owing. Would not the last receipt be sufficient for an honest man to see—that requires no memory. He did not call for rent after the beginning of February, but I went on the last day of April to pay him, he living opposite to my tenant; to my astonishment I found the house in front burricaded with stones so that no person could go in or out, and many loads at the back. My tenant had died a fortnight before, and was obliged to be conveyed out of the back window to be interred. I found the stones had lain there two months or thereabouts. Reader mark this—my tenant was led to understand, that I had consented to it; he making

Russell complained to the carter employed, the latter replied, "you pay no rent, what right have you to complain?" For this reason they did not acquaint me of the circumstance. I resisted paying him those two months rent, for which he sued me. The case was tried by Judge Kerr, who decided in favour of the plaintiff, because I had not complained. Could I complain of a thing I knew nothing of. I say the premises were not his, as I was to pay rent for them till the year had expired; he took possession unknown to me and received the benefit. Not a stone was laid on that part to which he had a right. With equal justice, if Judge Kerr was out of town, might any person blockade his premises, what would he say if he was told "you did not complain of it?" I was informed that there were not less than three hundred loads, there appeared to be more. If a person takes money out of my chest, and I do'nt miss it, am I not still robbed? after a certain time I discover I am, and take up the robber and prove the robbery; on the same ground, has the robber a right to be acquitted and keep his booty?

Let every person put the case to himself,—that is the way to understand justice. Readers, the case is not ended here; before the lapse of a month, I received a warrant for ten pounds sterling, for damages done to his house; I knew of no damages, the half window excepted, but being in a better condition; I tendered before the return of the warrant, four dollars in American half dollars; John Robinson, master shoemaker, and Henry Jackson, cabinet maker, being present; the case went to the Court, but was afterwards referred to two *experts* for arbitration, who viewed the premises; and Lortie's *expert* could see no damages done, but the old sash lost, which was valued by Lortie's *expert* at ten shillings; mine could not give any damages, for he conceived it only an action to extort money from me. The third person was referred to for his decision, neither of them two would insert in their report the money I had tendered. Plaintiff's *expert* a Mr. Moore; defendant's, Mr. McLean; umpire, Mr. Malouin. The reports were filed in Court separately, as my *expert* would not consent to their decisions.—The cause came to be decided by the honorable Judge Bowen, on Tuesday, May 27th, 1834. I called two respectable witnesses to prove both the tender of the amount of twenty shillings currency, and acknowledgment of the plaintiff, which more than covered the amount of the sash, and expenses up to that time incurred. Why is it referred to their decisions? The honorable Judge says, whatever is the umpire's

report is the law. This may be Canadian law but it sounds little like English law.

Readers, I shall here give you an account of two recent cases of English law. About 11 or 12 years back, a man in Spitalfields, London, murdered his step-daughter; the murder was clearly proved, but the Judge directed the jury to acquit the criminal, saying the indictment was incorrect, the child was illegitimate, and was stated in the wrong name. He was immediately indicted again, with the child's right name. To the astonishment of the world, he was again ordered to be acquitted, as it was taken as a plea that no person can be tried twice for one offence. The other was a gentleman who was going a journey on a coach, I think it was a Bristol coach, but do not take upon me positively to say, but the case was as follows:—The driver was intoxicated, the coach was upset, and the gentleman seriously injured; an action of damages was brought against the *proprietor*; it was tried, and the plaintiff lost his cause by the indictment not specifying particularly whether the coach was drawn by horses, mares or geldings,—it said horses only. The Judge directed the jury to return a verdict for the defendant and sure enough the jury did. It appears that the Judge took precedent from the recent trial for murder, a few months previous. That is English law; I suppose Judges and Juries are like Kings, infallible, cannot err or do wrong.

I am the public's humble and most obedient servant,

JOSIAH EATON,
Confectioner, Quebec.

N. B.—It has lately been strenuously contended by his honor, Mr. Justice Kerr, and his apologists, that the Court invested with jurisdiction to the amount of £10 sterling, was merely a Court of Equity. Indeed that seems to be the spirit and meaning of the ordinance. In my case the award was only 9s 7d; if I have lost my cause by any point of law, where is the justice of it? When it appears by the report of one of the *experts*, that the action, according to his opinion, after hearing the witnesses and viewing the premises, was vexatious with a view to annoy the defendant, who had tendered, previous to the entry of the cause into Court, the sum of twenty shillings, and also, that the defendant had proposed to the plaintiff to name some one to establish the damages he claimed, and that he would pay the same without going into Court. The witnesses were in Court at the decisions, to prove the same to the

honorable Judge Bowen. If this cause is to be a precedent for like causes in future, the plaintiff to gain his cause, has only to procure a favorite *expert*, who will keep a deaf ear, and Mr. Moore, say the tendering of the amount belongs to the jurisdiction of the Court. Mr. Moore could not avoid knowing, as Henry Jackson and John Robinson declared at the investigation, and likewise the plaintiff acknowledging that I had tendered to him the above sum. I put the question to him myself.

When going to take the foregoing to be printed, I met with Mr. Moore, the plaintiff's *expert*, and after the usual address, how do you? I told him I had lost that cause; he asks me was it ended, yes, replied I, and said to him, you could not avoid hearing me ask the plaintiff, that I had tendered him 20 shillings; he answered, yes, but replied he, Mr. Lortie said it was after I had the summons. All that is true said I, but it was before the entry of the summons into Court; he then said the *experts* duty was only to prove the damages and value. I ask the opinion of all professional gentlemen concerning this cause. Here the *expert* tells you he has only to decide of the value; and the honorable Judge tells you that *experts'* and umpires' reports are law. My cause has been similar to the game of shuttlecock and battledoors.

I'll take upon myself to tell the *experts* their duty. What was Mr. Moore and Mr. Malouin? [illegible] I suppose, I must keep silent. Mr. Moore was to ex[illegible]ry point of the witnesses, and to comply with justi[illegible] favour[illegible] his client as he could to end the contest; Mr. Moore was not ignorant what he was doing, that was not the first time he had been chosen as an *expert*.

Of Mr. Malouin I could not say too much, he should have been a barrier against any injustice done to either party; how far he has done so, readers, I'll tell you. My *expert* told him there was nothing required but justice to be done; he informed him of every circumstance; the tendering of the money they would not insert in the report, which has thrown the expenses upon me.

JOSIAH EATON.

I could say no conduct, let your actions be ever so just, though kept within the bounds of the law, was any barrier against privileged thieves. The following diabolical transaction to extort money in 1834, exceeds in atrocity almost every

thing on record, viz.:—A young woman, name Catherine Miller, one that was represented to be a paragon of virtue, was in my service as shopkeeper, in premises in which I did not myself reside. For my readers to understand the case, it requires it should be fully described. This female was allowed the privilege of a term of every second Sunday for what purpose she choose to apply it; to church she pretended it should be. On a certain day in July, I had a bill to pay at the Quebec Bank of sixty pounds. I had some money to receive from this young woman. In the back room I arranged the money to pay the described bill. When I was paying, there was deficient two dollars of the amount. The very identical note I found in one corner of the same bag, nearly worn to pieces, after eight weeks. I returned, and said to this young woman, I cannot imagine how it happened, but I think it must have been miscounted at the bank; but I will just look were I arranged my notes. I did look, and said to her it is not there, in fact I did not expect it was. I allowed this young woman other privileges of recreation. There was an oratorio in the English Church at that period, and I found she had resorted to it at 7s. 6d. a ticket. I did not conceive the least ill opinion of her for that to my injury; however I could perceive that she was not that paragon of virtue as was represented. One Sunday in July, she went out, but did not return till the 10th hour on Monday morning. I enquired how it occurred that she did not return the preceding evening. She replied, that she was with a party visiting some falls, the caleche broke down, and we were obliged to put up at a Canadians, but not any of us went to bed. A fair apology, as the saying is, will do for some folks. This young woman was very deficient of apparal; and she applied to me for her wages as it came due to her, and received it. I soon perceived her to get more haughty than was prudent in her situation. A few days subsequent she said to me, Did you find that two dollar bill. I replied, no; nor did I expect it: the error must have happened somehow with me, or at the Bank. She replied, I lost a five dollar bill myself. I asked her how. She replied, the night I remained out, I had taken with me a five dollar bill in mistake for a one dollar; I had it in my bosom, and in undressing myself on going to bed, it must have dropped in the room, but in a breath said it was money she had lately received from Mr. Ridley, what they owed me for wages. I not seeming to doube the truth of her narration, told her I would give her leave to

go and enquire concerning it. But my memory informed me, the whole company had not the pleasure to repose on such a thing as a bed, and my senses informed me that Mr. Ridley was not her debtor. The Sunday following, was not the one allowed for her recreation. At the eleventh hour at night my boy not coming home I sought after him, and found he had been keeping house for Catherine Millar, she informed him she would leave the house, shut up the premises, and send me the key, under the pretence of being advised so to do for the good of her health. A young gentleman gave him sevenpence, halfpenny to take her place, and she not returning till that hour prevented him from being at home. I did not approve of such conduct, and was determined to inquire whether it was true that Mr. Ridley owed her money for wages due. By inquiring I found, as I expected it to be, a falsity. I was determined to reprimand her for trying to palm on me so gross a lie. I said to her, how could you assert so gross a falsehood as the above; but to my astonishment she persisted that she had said no such thing. I shall remark, that I had not any idea that the five dollar bill was my property. But by her persisting that she had not reported that she got it from Mr. Ridley, I was determined the affair should be sifted to the bottom, for that reason I sent for Mr. Carey and Mr. Colfer to listen to the answers I should demand of her, which were as follows: Catherine, you say that you did not assert to me that the money you lost was what you had from your former master, Mr. Ridley. I will give up that, as I have no witness; only inform me who you had it from and I will forgive you. She replied, I had it from a cousin, who is on board the Gulnare, a gift of his paid to me by the hands of Mr. Stevenson. I inquired what Mr. Stevenson. She retracts that, and then again for answer says, no, I had it from a person whom I lent money to. I then again inquired of her, who that person was. She replied, I won't tell you. I told her again if she would inform me of the truth, I would have the same good opinion of her, and she might keep her place. She gave me the same reply. Now, says I, here is Mr. Cary and Mr. Colfer, I will promise before them, if you will satisfy me by answering the above question, I will give you five pounds. She still persisted in her former conduct. I then insisted that she should depart my service, and I then closed the shop for the day. She departed, and in a few days after there was two processes against me, one specifying that I slandered this virtuous young wo-

man, the damages laid at £500; the other specifying for board and wages, £60. I applied to her attorney, expecting to convince him of the injustice of such a proceeding, but to my surprise the attorney was the identical young gentleman, that after, if not at that time, cohabited with her, in that way to preserve her reputation. She was under the necessity of being absent for six weeks. To benefit this emblem of virtue, I found leagued against me those that grossly perjured truth, others that would not, or pretended not to have memory, every thing strove to be construed in her favour: others heard and saw things at 15 miles distance, or was not at the time the circumstance happened within fifteen miles. Those whose evidence could not be immediately detected, swore direct false, those that dare not, would not have memory to know any thing, for fear their deposition should be favourable to me. Her character was extolled as almost to make her appear an angel of light.

One witness for the prosecution was George Bagnell, represented as a cousin; he was to be the main engine who she had the money from, but they failed in substantiating that, though complete perjury was resorted to, but was not, or could be detected at the time. There was a young man of the name of Stanley deposed to the conversation that was passed down in a vault where there was a stone wall four feet thick, he being in the garret four stories high, and the printing presses with thirty men at work. Both Mr. Cary and Mr. Colfer would or could not remember the questions I put to her in their presence. Mr. and Mrs. Ridley "never had such a precious servant," and I was deprecated for what they choosed imagine, inveigling her from their service, but all would not do, the honest part of the jury saw through their flimsy veil. Eight was for their conduct being corrupt, and I, not knowing what was determined, foolishly consented to withdraw the jury for another trial. I was blamed by all, even the honorable Chief Justice Sewell. The cause was repeated in several sessions before it could come to a conclusion; and when it came to have the judgment of the Court, this virtuosity was found to be a base strumpet, the cousin, George Bagnell to be her paramour, who had fled from Kingstown, a few miles from Dublin. He was a married man, she lived with him as a servant, and in short had a family by him and accompanied him, leaving his wife and one child; they were no otherwise related. Just before the finishing of the long depending cause the wife and family arrived at Quebec, to the mortification of that instru-

ment, Joseph Fenwick, which combustion blowed up all his golden prospects to the shame of all concerned, except to the nearly ruined being myself. She endeavoured to palm her pretended cousin on Mr. Ridley to be his shopman in a grocery store. Mrs. Bagnell was the daughter of a very respectable family in Dublin, Quakers, and established in trade by her parents. George Bagnell deposed before me and his then employer, that he was persuaded by the lawyer Fenwick to perjure himself; in a few days after Fenwick was called away, perhaps to be a companion to Jacques Lortie, never to return.

The judgment of the Court condemned them or her with costs; but where was my expence to come from, she had pleaded to be a pauper, I had my own lawyer to pay in those and other causes nearly two hundred pounds.

The system of granting licences in Quebec is one of the most unjust that can be devised. Houses are let and taken after the first of February. Many persons engage in premises without ever imagining it is to be their ruin. For instance, I engaged premises for five years, and expended fifty pounds to improve them, to establish a respectable second rate hotel. I having had a licence for three years, the fourth it was refused me. I challenged any one, even the redoubtable, over officiating ——, whose habitation is in a palace, to allodge against me one instance that I ever violated the law. But that formidable being, with others, after four application, and summoned by His Excellency Lord Durham, requesting that they would assign the reason why my licence was prohibited. It was still refused; I had forgot the umbrage I gave the above ——, by requiring a civil answer to a foolish question, which common sense would have taught him his proper path to avoid the quagmire he tumbled in. Had licences been granted previous to February, instead of April, I should have avoided splitting on the rock that has once more been my ruin to try another part of the world we live in, with a virtuous wife.

I am now landed safe at Three Rivers, and expected I had left Dame Fortune's eldest daughter behind; but I was too much of a favorite to be discarded by her. On the beginning of September, 1838, a select body of men, I supposed to be gentlemen, applied to me to provide them with the following articles, and to be conveyed up to the race course: 2 buttocks of beef, 4 quarters of lamb, 2 hams, bread &c., 33 chickens, 2 large chicken pies, 1 lamb pie, 1 apple pie, 2 large tarts, 3 bottles of pickles, barrel of beer, 54 bottles of porter, 3 bottles of champaigne, 10 dozen of ginger beer, 8 gallons of port

wine, 8 gallons of sherry, 5 gallons of cognac brandy, all of superior quality, extra expense of carting, requiring the stand, charge of waiters, cooking, breakages, &c. &c., total expense full £23. These would-be gents, to amuse themselves, or to strike surprise to Three-Rivers visitors, or for some other intention, there was at their beck thirty-three musicians, exclusive of their commanders, sentries, &c. &c.; total, the small number of forty-five, besides the honorables signalized by the badge of a blue ribbon. As mother Abraham bawled out, did the people in Three Rivers ever see the like * Readers, your humble servant was commanded to obey, with a strict injunction not to permit any plebeians to eat or drink in the palace or in the presence of those honorables, those that should have the favour of their high mightinesses excepted. Their humble servant was ordered and dare not disobey. On the two days of elesium, Sept. 11th and 12th, to provide dinner, for 51, Porter 6 bottles, Beer 3 gallons, wine 7 gallons, Ginger Beer 12 bottles, &c. &c. &c. to those honorables, or the Queen's servants. But here comes the rub. They found it not to be a dream, it is those that dance that should pay the piper. I thought proper to inform them that the least I could demand for their exhibition was eleven pounds. The enormous amount frightened their honours, after eighteen weeks they came to the conclusion, if I would consent to receive five pounds as a compensation they would raise it. I did not know but there might be a general bankruptcy, I imagined it might be my interest to be sure of that sum, which was paid me by Munro Bell, Esq., on January 28th, 1839. I shall inform my readers of my profits, otherwise loss, by my endeavours to oblige those gents. I received on the two days twelve pounds, being kept out of my money eighteen weeks, and received five pounds, which makes seventeen pounds. I had a few gallons of wine and brandy, and two bottles of champaigne unsold, for to make up the deficiency, the wine being superior than I required in

* At a child-bed linen warehouse, in a street called Houndsditch, in London, kept by a Jewess named Abraham, a woman, that had the appearance of being a nurse, applied for a dozen of valuable shifts, saying the lady that required them was of the exact statue of Mrs. Abraham. Mrs. Abraham was persuaded to put one over her, and permitted the woman to join the over shift and the under one with pins all round. The woman then took the opportunity to walk steadily off with the eleven shifts. Mrs. Abraham, not altogether approving of it, made all the haste she could to divest herself of the outer one, by drawing it over her head. I need not describe to my readers what the effect was; but Mrs. Abraham in her state could not pursue, and bawls out, "Did you ever see the like—Did you ever see the like."

pay business. The stewards were the following persons: H. F. Hughes, Grocer, Dr. Kimber, Mr. Dumoulin, Attorney, and Captain John Robertson, Postmaster. I was informed that if I persisted in my demand, one of the stewards would have me fined for selling their liquors on the race course without a licence, surely informing is an honorable occupation. This information was given me by Adolphus Hart, Esq. Fully expecting the eleven pounds would have been paid me without any deduction, relying on that sum for to pay my quarters rent, by their conduct I perceived it was uncertain when, and likewise finding that I could not gain a livelihood in Three Rivers, I informed my landlord that it was my intention to try Montreal, and informed him I would pay him the whole of his rent up to May next, that I would have a sale of my stock, &c., and desired him to come and receive the money of the produce at the time, till he was paid the whole amount, thirty five pounds. There was only one quarter's rent then due, he drank a glass of wine and seemed satisfied. I gave public notice of and when the sale would take place, which was to be on December 28th and 29th, 1838. The sale commenced on the 28th accordingly. About four o'clock, to my surprize, a distrain was entered on the goods, there was then sold to about forty pounds, but not one farthing of cash was received, I would not take any till after the sale, nor suffer the articles to be delivered. I was advised to appeal against the legality of the seizure. The auctioneer proposed to pay the whole of the money, thirty five pounds, on the spot, if the landlord would allow a discount of 2½ per cent, which I consented to. He did not receive the money, and by the advice of two lawyers I appealed against it; they persuaded me of its being illegal by there being no acting Judge at the time in Three Rivers. Unfortunately for me the decision of the Judges at the sessions was in the landlord's favour; what extra expences has befallen me I have not as yet ascertained I expect to enter again pennyless on the world we live in. Whether that jade has to accompany me farther, readers, I cannot inform you. I am well aware that I shall be stamped with the epithet of being a good-natured fool; but whatever for the future is to be my fate, I do assure you that my spirit is not a little broken, but recommend young tradesmen to avoid the shoal the unfortunate author has been stranded, and which is the wish of the Public's devoted Servant,

JOSIAH EATON,

Aged 69 years on May 4, 1839.

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